

EPA Region III

Office of Public Affairs

Mid-Atlantic Headlines

Monday, March 11, 2013

***** DAILY HOT LIST *****

Fracking's 'revolving door' draws a warning Study says 45 current or former state officials have links to industry PITTSBURGH

POST-GAZETTE

When Judy Armstrong Stiles of Bradford County suspected that her well water was contaminated by nearby Marcellus Shale gas development operations in 2010, she called the state Department of Environmental Protection and an inspector was sent to test her water.

Baysiders battle watery siege

WILMINGTON NEWS JOURNAL

High tides and minor flooding continued to vex coastal residents in Delaware and along the mid-Atlantic on Sunday, as remnants of last week's winter storm slowly gave way

Newer homes more energy efficient than older ones

PHILADELPHIA INQUIRER

The benefits of energy efficiency are hitting home. Homes built in the last decade, despite being 30 percent larger than older dwellings, consume only 2 percent more energy on average, according to the U.S. Energy Information Administration. The typical home built after 1999 consumed 21 percent less energy for space heating than older homes, according to EIA's most recent Residential Energy Consumption Survey. Improvements in the efficiency of heating equipment and better-insulated building shells accounted for much of the reduction, said James "Chip" Berry, manager of the residential survey, outlined Thursday in an EIA online newsletter. Geography also had a role. More than half the newer homes were built in more temperate Southern states, where residents typically consume less energy heating.

Nuclear chief: US plants safer after Japan crisis

WALL STREET JOURNAL

Two years after the nuclear crisis in Japan, the top U.S. regulator says American nuclear power plants are safer than ever, though not trouble-free. A watchdog group calls that assessment overly rosy. "The performance is quite good," Nuclear Regulatory Commission Chairman Allison Macfarlane said in an interview with The Associated Press. All but five of the nation's 104 nuclear reactors were performing at acceptable safety levels at the end of 2012, Macfarlane said, citing a recent NRC report. "You can't engage that many reactors and not have a few that are going to have difficulty," she said. But the watchdog group, the Union of Concerned Scientists, has issued a scathing report saying nearly one in six U.S. nuclear reactors experienced safety breaches last year, due in part to weak oversight. The group accused the NRC of "tolerating the intolerable." Using the agency's own data, the scientists group said 14 serious incidents, ranging from broken or impaired safety equipment to a cooling water leak, were reported last year. Over the past three years, 40 of the 104 U.S. reactors experienced one or more serious safety-related incidents that required additional action by the NRC, the report said.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Newer homes more energy efficient than older ones The benefits of energy efficiency are hitting home. Homes built in the last decade, despite being 30 percent larger than older dwellings, consume only 2 percent more energy on average, according to the U.S. Energy Information Administration. The typical home built after 1999 consumed 21 percent less energy for space heating than older homes, according to EIA's most recent Residential Energy Consumption Survey. Improvements in the efficiency of heating equipment and better-insulated building shells accounted for much of the reduction, said James "Chip" Berry, manager of the residential survey, outlined Thursday in an EIA online newsletter. Geography also had a role. More than half the newer homes were built in more temperate Southern states, where residents typically consume less energy heating.

PITTSBURGH BUSINESS TIMES Kolaches+Marcellus=happy Texans This will make sense to all of you energy folks that came from Texas jonesing for Czech and Slovak pastries. There's a Kolache shop in Beaver and some of your colleagues are already enjoying its bounty. Kristi Harper opened Cafe Kolache 10 years ago and was doing well selling the traditional Eastern European stuffed sweet dough treats even before the first Marcellus worker walked through its doors and ordered a Little Smokie — a sausage wrapped in sweet dough.

Marcellus Shale producers making strides on efficiency Marcellus Shale producers are continuing to decrease their well-operating costs as they try to compensate for low gas prices, a survey of companies' annual reports indicates.

DELAWARE COUNTY DAILY TIMES

Op-ed: Leveraging Marcellus shale to pay for pension reform As discussed in last week's PennLive editorial, Pennsylvania faces unfunded public sector pension obligations of \$41 billion. And proposals are proliferating to reform pension parameters in ways which are likely to face protracted legal challenges. Also, we are confronting harsh budgetary trade-offs in which education, infrastructure, health care and public safety are underfunded due to the budgetary pressure from longer term liabilities. Apparently, we will be tied in binding budgetary and legal knots for many years to come. Could it be otherwise? Might someone undo the knot, as in the Gordian legend?

Perhaps Pennsylvania should start acting as the energy-rich state that it has become. Thanks to the thousands of Marcellus shale wells, and the expected growth of such activities, the state could obtain resource royalty revenue, if a bold policy pivot can be accomplished. Other energy-rich states realize sizeable revenue streams from royalty fees on oil and natural gas; our closest competitor, West Virginia, imposes a 6.1% effective

royalty rate. Other states such as Texas, Oklahoma, North Dakota, and Alaska, all receive significant royalty revenue. Pennsylvania is truly exceptional in its forgoing of such revenue.

BEAVER COUNTY TIMES

Marcellus Shale Coalition releases video on methane The Marcellus Shale Coalition, an industry group, released a new informational video this week called "Methane: An Element of Nature." The video touches on the science and geology associated with methane, as well as regulations and practices taken by natural gas operators in relation to methane. According to the Environmental Protection Agency, methane is the second most common greenhouse gas emitted in the U.S. as a result of human activities. Methane, the agency says, can be emitted by natural sources, such as wetlands, but also human activity, such as leakage from natural gas systems. Methane is the primary component of natural gas, the EPA says, and it's emitted to the atmosphere during the production, processing, storage, transmission and distribution of natural gas. "Methane migration has been a longstanding public health issue in Pennsylvania, long before Marcellus Shale development began several years ago in the (state,)" said MSC chief executive officer Kathryn Klaber. "This important issue is the source of frequent questions we're asked at community and public events, as well as at meetings with various stakeholders. "And that's absolutely understandable, given that Pennsylvania is one of only several states that does not have private water well construction standards."

TIMES HERALD RECORD Sullivan leaseholders sick of fracking wait A few dozen landowners and businesses in Sullivan County with about 7,900 acres leased for gas drilling are waiting in regulatory limbo. They've been waiting as long as six years for the state to decide whether to allow the natural gas extraction method of hydraulic fracturing, or fracking. It's a wait that could extend at least another two years, if the state Senate joins the Assembly, which on Wednesday voted for a two year moratorium on fracking. And since many of those leases — which were signed as early as 2007 — are for drilling on land in towns that have since banned fracking, the leaseholders are also waiting for the courts to decide whether the bans will ultimately stand. Court decisions have already upheld those bans in two upstate towns. No wonder some of those leaseholders are sick of waiting. They say fracking is safe for the water and air, while those against it say those natural resources will be polluted. "It's such a scam that's going on," says Bill Steuber, of the western Sullivan County Town of Fremont. Chesapeake Appalachia has leased about 260 acres from Steuber and his family. "We're being held hostage by the environmentalists."

YORK DAILY RECORD Rep. Ron Miller's office to livestream meeting on Chesapeake Bay ... The program allows public and private waste water treatment plants to advance Chesapeake Bay clean-up efforts by meeting their nitrogen and .

WASHINGTON, D.C.

WASHINGTON POST

Who had the worst week in Washington? Meteorologists. Whether it's predicting the results of elections or the tracks of storms, there is a desire for certitude when, in fact, none exists. Slight shifts in any number of variables can change outcomes. Competitive pressures to be first, and right, make things more difficult. Once in a long while, all of these factors combine to form a perfect storm. That's what happened this past week to Washington's meteorological community. At the start of the week, folks in the weather-forecasting business predicted that heavy snowfalls were headed toward D.C. (The Fix did our usual: stocked up on cans of evaporated milk for our bunker.) As the storm — it was called Saturn! — approached Tuesday night, many weathermen and -women amped up their snowfall predictions. Then the rain came. Yes, the rain. The weather world was left to stand on snow-free streets wrapped in Gore-Tex winter gear as the rest of us wondered what the heck happened. Snowfall? More like snow drizzle — snizzle.

WEST VIRGINIA

FAYETTE TRIBUNE State's old mountaintop removal mine sites eyed for farming Defenders of mountaintop coal mining often point to such economic advances in southern West Virginia as golf courses, schools and airports on land that has been leveled to extract the fossil fuel. Now, it appears, Agriculture Commissioner Walt Helmick is eyeing a potential new use of old mining sites: Farming. Historically, he told the Senate Agriculture and Rural Development Committee, the region has never been blessed with an abundance of level land on which to grow crops and raise cattle. "Hills are steep, the valleys are very narrow," he told Sen. Daniel Hall, D-Wyoming, in response to his question about diversifying economic opportunities in the southern coalfields. "You can't do very much in that respect when it comes to agriculture." All that has changed, however, with the invasion of the big mining machines that lop off the tops of mountains, he pointed out. "We do have significant amounts of level land," Helmick said.

MARYLAND

BALTIMORE SUN

Ginseng, once widespread in Maryland, now dwindling Officials eye ban on harvesting popular herb from all state lands. Ginseng, one of the most sought-after medicinal herbs in the world, once flourished across much of Maryland. It has nearly vanished now, though, from all but the westernmost counties, prompting officials to ponder banning commercial harvest of the lucrative plant from all state lands.

'Fracking' brings prosperity, problems to Pennsylvania (Blog) DIMOCK, Pa. — — Times are good these days at the Linde Corp., where despite a sluggish economy nationally, the company is on a hiring binge. The construction company, based near Wilkes-Barre in northeastern Pennsylvania, has seen its workforce nearly triple over the past five years as it switched from helping to build big-box stores to laying miles of natural gas pipelines connecting hundreds of gas wells drilled in the rolling rural terrain here in Susquehanna County.

CUMBERLAND TIMES-NEWS

All bills to ban, place moratorium on fracking dead (March 7) CUMBERLAND — A bill that would have placed a moratorium on drilling for natural gas via hydraulic fracturing, pending further study, has been withdrawn in the House of Delegates after late adverse action on a similar Senate bill Wednesday night. All bills that would have imposed a moratorium or banned fracturing have now been defeated or withdrawn in the Maryland General Assembly. However, Gov. Martin O'Malley's advisory commission continues its work, and during that time, no permits for drilling will be issued in Maryland. A Senate committee also defeated a bill that would have outright banned fracturing Wednesday, as reported in Thursday's Times-News.

CUMBERLAND TIMES-NEWS Study provides guidelines for Marcellus commission — A new University of Maryland study provides guidelines for the use of hydraulic fracturing for natural gas development in Western Maryland, a study Sen. George Edwards says answers many of the questions surrounding the practice. "In my opinion, the study lays the groundwork for the commission's work," Edwards said. The senator was referring to the governor's advisory commission on Marcellus Shale drilling for natural gas. The study made recommendations on the future of natural gas drilling. It was completed by the University of Maryland Center for Environmental Science Appalachian Laboratory in Frostburg. "A scientific team led by Dr. Keith Eshleman surveyed best management practices that have been adopted and proposed in other states. The team researched industry standards, reviewed governmental regulations and advisory commission reports, visited well drilling sites in adjacent states, and consulted with experts in relevant fields," according to the study introduction. _

VIRGINIA

RICHMOND TIMES-DISPATCH

Va. officials say Chesapeake Bay oyster poaching is epidemic (AP)- Virginia officials say oyster poaching has become epidemic in the Chesapeake Bay. Last year, the Virginia Marine Police logged 240 violations for illegal oyster harvesting. Some were for harvesting oysters intended to restore the bay's ailing stocks from protected sanctuaries. Police and shellfish experts say several factors have contributed to the increase in poaching, including a weak economy and fewer patrol officers on the water. The Virginian-Pilot reports that state officials are discussing ways to combat the problem. They include revoking the licenses of repeat offenders more frequently. Oyster boats might be required to have GPS tracking devices so the marine police can keep better tabs on them without being on the water. Virginia Watermen's Association president Ken Smith says the state should enforce the regulations it has.

LYNCHBURG NEWS AND ADVANCE Bedford company seeks to spread sludge on 13,000 acres

MISCELLANEOUS

GREENWIRE

WETLANDS: EPA seeks reviewers for study seen as key to regulatory scheme A new front in the high-stakes battle over which swamps, streams and other water resources should be regulated under the Clean Water Act opened up today, as U.S. EPA took a key step toward finalizing a scientific study examining how such water resources are connected. In today's *Federal Register*, EPA put out a call for nominations of outside experts to serve on a Scientific Advisory Board that will review the study, which synthesizes previous research on the impact small water resources have on larger downstream waters. The report, "Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence," was authored by EPA staff, a Department of Agriculture staffer and fellows including those from the American Association for the Advancement of Science, EPA said in a statement to *Greenwire*. It is intended to provide the scientific foundation as EPA and the Army Corps of Engineers seek to clarify what water resources are covered by the Clean Water Act in the wake of two muddled Supreme Court decisions that raised questions about jurisdiction over isolated wetlands and certain streams. EPA and the Army Corps' guidance, which would increase the number of wetlands and streams that fall under the federal government's jurisdiction, has been stalled at the White House for more than a year, amid staunch opposition from industry. The administration is now looking toward a rulemaking on the issue and is in the process of deciding whether to release the guidance in the interim

AIR POLLUTION: Enviros sound alarm as EPA sends revised toxics rule to White House The revised U.S. EPA rule for curbing new power plants' emissions of mercury and other toxics could result in more pollution, environmental groups are warning as the White House begins reviewing the regulation. At issue are the Mercury and Air Toxics Standards (MATS) for new sources that EPA sent to the Office of Management and Budget on Tuesday. EPA has said it expects to finalize the revisions by the end of the month. EPA issued a revised rule in November that slightly lowers the legal limits on mercury and acid gases for new power plants fired by coal and oil. At the time, EPA said overall health benefits would not be affected because plants would still need the same pollution-control technologies that they would have used to meet the original regulations. But several environmental groups warn that the changes will damage air quality and could even let power plants use weaker pollution controls. "I think this is one of these cases of misdirection by the agency," said Jim Pew, a staff attorney at Earthjustice. "Saying all of the pollution control

technology will be the same is like saying only that you're going to buy a car. That could be a jalopy or a Rolls-Royce. There's a wide variation in this technology."

AGRICULTURE: Bipartisan bill introduced to exempt farms from EPA oil spill regs A bipartisan group of lawmakers is seeking to exempt farmers who store oil in aboveground tanks from federal oil spill regulations. Under legislation introduced yesterday in the Senate, farms with an aggregate storage capacity of less than 10,000 gallons would not be required to hire a licensed engineer to design a spill prevention plan. Such plans are required under U.S. EPA's Spill Prevention, Control and Countermeasure Rule, which the agency uses to regulate oil spills. The legislation also would allow farmers who store less than 42,000 gallons in aboveground tanks to self-certify their own spill prevention plans.

NATIONAL JOURNAL

The WSJ on Obama's Pick for EPA (March 5) Carbon Power Politics: The next EPA chief and next phase of the Obama green agenda. President Obama gave his second-term global warming agenda a lot more definition Monday with a new Environmental Protection Agency chief to replace Lisa Jackson. Picking Gina McCarthy, one of her top lieutenants and the architect of some of the agency's most destructive carbon rules, is a sign he intends to make good on his vow of "executive actions" if Congress doesn't pass cap and tax. Over the last four years running the EPA's air office, Ms. McCarthy has been a notably willful regulator, even for this Administration. Her promotion is another way of saying that Mr. Obama has given up getting Congress to agree to his anticarbon agenda, especially given the number of Senate Democrats from coal or oil states. The real climate fight now is over the shape of forthcoming rules that could be released as early as this summer, and a brutal under-the-table lobbying campaign is now underway.

WALL STREET JOURNAL

Fed survey: Pa. shale gas boom regions robust (AP) A Federal Reserve survey of regional economic trends says activity coinciding with the Marcellus Shale natural gas boom in Pennsylvania has been robust. The Fed's latest Beige Book, a snapshot of business conditions in the agency's 12 regional bank districts, notes that eastern and central Pennsylvania banks in shale gas areas in the agency's Third District "described customers paying down loans with royalty money and avoiding further debt by paying cash." In the Fourth District, which includes western Pennsylvania and Ohio, the survey says shale gas activity is expanding at a robust pace, while conventional oil and gas was steady. "

ASSOCIATED PRESS Nuclear Industry Withers in U.S. as Wind Pummels Prices: Energy A glut of government-subsidized wind power may help accomplish a goal some environmentalists have sought for decades: kill off U.S. nuclear power plants while reducing reliance on electricity from burning coal. That's the assessment of executives and utility experts after the U.S. wind-energy industry went on a \$25 billion growth binge in 2012, racing to qualify for a federal tax credit that was set to expire at year's end. The surge added a record 13,124 megawatts of wind turbines to the nation's power grid, up 28 percent from 2011. The new wind farms increased financial pressure on traditional generators such as Dominion Resources Inc. and Exelon (EXC) in their operating regions. That's because wind energy undercut power prices already driven to 10-year-lows by an abundance of natural gas. "Right now, natural gas and wind power are more economic than nuclear power in the Midwestern electricity market," Howard Learner, executive director of the Environmental Law and Policy Center, a Chicago-based advocate of cleaner energy, said in a phone interview. "It's a matter of economic competitiveness." Wind-generated electricity supplied about 3.4 percent of U.S. demand in 2012 and the share is projected to jump to 4.2 percent in 2014, according to the U.S. Energy Information Administration.

NEW YORK TIMES

Dot Earth Blog: Scientists Find an Abrupt Warm Jog After a Very Long Cooling (March 7) There's long been a general picture of the climate of the Holocene, the period of Earth history since the last ice age ended around 12,000 years ago. It goes like this: After a sharp stuttery warm-up following that big chill — to

temperatures warmer than today — the climate cools, with the decline reaching bottom around 200 years ago in the period widely called the “little ice age.” (A [graph produced by Robert Rohde](#) for his Global Warming Art Web site years ago nicely captures the general picture.) In a new study, researchers from Oregon State University and Harvard have analyzed 11,300 years of data from 73 sites around the world and added more detail to this picture. The work, [posted online today](#), is being published Friday in the journal Science. [[Justin Gillis's news story is posted](#)] While the researchers, led by Shaun Marcott of Oregon State, conclude that the globe’s current average temperature has not exceeded the warmth that persisted for thousands of years after the last ice age ended, they say it will do so in this century under almost every postulated scenario for greenhouse gas emissions.

[Dot Earth Blog: Schools Designed With the Environment in Mind](#) Schools can play an important role in fostering environmental and energy awareness not only through how they teach, but also their physical structures and grounds. I’ve been getting familiar with the remarkable, and growing, range of “green school” designs and initiatives around the country. Here’s an initial survey, spurred in part by invaluable input from Veronique Choa Pittman of the Green Schools Alliance and from my visit last week to the engaging new Green Schools exhibition at the National Building Museum in Washington. At the end of this post you will find a sampler from Pittman’s list of schools where teachers focus on energy and environmental education. But first, here’s a short video I shot during my tour of the Washington exhibition, which opened this week and runs until next January:

[Increases, So Do Fears About Water Supply](#) CARRIZO SPRINGS, Tex. — In this South Texas stretch of mesquite trees and cactus, where the land is sometimes too dry to grow crops, the local aquifer is being strained in the search for [oil](#). The reason is hydraulic fracturing, or fracking, a drilling process that requires massive amounts of water. “We just can’t sustain it,” Hugh Fitzsimons, a Dimmit County bison rancher who serves on the board of his local groundwater district, said last month as he drove his pickup down a dusty road. From 2009 to 2012, water production from one well on his ranch fell by two-thirds, a problem Mr. Fitzsimons linked to nearby wells pumping water for fracking operations. A study commissioned by his groundwater district found that in a five-county area that includes Dimmit, fracking reduces the amount of water in the [Carrizo-Wilcox Aquifer](#) by the equivalent of one-third of the aquifer’s recharge. Recharge means the amount of water an aquifer regains from precipitation and other factors.

[When to Say No to the Keystone XL - NYTimes.com](#) (editorial) The State Department’s latest environmental assessment of the controversial Keystone XL oil pipeline makes no recommendation about whether President Obama should approve it. Here is ours. He should say no, and for one overriding reason: A president who has repeatedly identified climate change as one of humanity’s most pressing dangers cannot in good conscience approve a project that — even by the State Department’s most cautious calculations — can only add to the problem.Mr. Kerry has since spoken of the need to safeguard for coming generations a world that is not ravaged by rising seas, deadly superstorms, devastating droughts and other destructive forces created by a changing climate. In itself, the Keystone pipeline will not push the world into a climate apocalypse. But it will continue to fuel our appetite for oil and add to the carbon [sic] load in the atmosphere. There is no need to accept it.

[Editorial: Polar Bears Go to Court](#) (March 7) The polar bear, whose long-term survival is threatened by the loss of Arctic sea ice because of global warming, got a welcome judicial assist this month, but a broader effort to protect it suffered defeat at an international conference on trade in endangered wildlife on Thursday. The global conference, held in Bangkok, rejected a proposal by the United States to limit trade in polar bear pelts and parts because of opposition from Canada, Greenland and Norway, which have polar bear populations.